JUL 1 4 2006

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 578562001721
In re Application of: Jonethan B. ROTHBARD et al.	
Application No.: 10/083,960	
Filed: February 25, 2002	
For: COMPOSITIONS AND METHODS FOR ENHANCING DRUG DELIVE OCULAR TISSUES	RY ACROSS AND INTO
The owner, Celigate, Inc.	100 percent interest in the
instant application hereby disclaims, except as provided below, the terminal part of the statutory	term of any patent granted on the
instant application which would extend beyond the expiration date of the full statutory term of pater as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said pr	patent No. 8,889,951
by any terminal disclaimer. The owner hereby agrees that any patent so granted on the heten only for and during such period that it and the prior patent are commonly owned. This agreem on the instent application and its binding upon the grantee, its successors or assigns.	t spoilretton shall be automouthly
In making the above discisioner, the overer does not discision the terminal part of the term of a spokerion that would extend to the expiration date of the full statutory term as defined in 35 patient, "as the term of said prior patient is presently shortened by any terminal discisioner," in later: Outline for faiture to pay a maintenance feet.	I S C 154 and 173 of the select
le held unenforceable;	
is found inveild by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1,321;	
has all claims canceled by a reexamination certificate;	
is in any manner terminated prior to the expiration of its full statutory term as prosently shorts	ned by any terminal discinimer.
Check either box 1 or 2 below, if appropriate.	
1. To submissions on behalf of a business/organization (e.g., corporation, partnership, etc.), the undersigned is empowered to act on behalf of the business/organization.	university, government agency.
I hereby declare that all statements made herein of my own knowledge are true and that all end belief are believed to be true; and further that these statements were made with the knowle and the like so made are punishable by line or imprisorances, or both, under Section 1001 of The and that such willful false statements may jeoperdize the validity of the application or any patent.	adge that willful false statements
2. The undertrighed is an attorney or egent of record. Reg. No.	
	
aud of home	2/11/06
Signature //	Date
Edward F. Schnipper, M.D.	
Typed or printed name	
	Telephone Number
X Terminal disclaimer fee under 37 CFR 1.20(d) is included.	
"Statement under 37 CFR 3.73(b) is required it terminal disclaimer is signed by the easign Form PTO/SB/88 may be used for making this certification. See MPEP § 324.	mee (owner).



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The owner, Celigate, Inc.	100 percent interest in the	
instant application hereby disclaims, except as provided below, the terminal part of the statutor	term of any patent granted on the	
instant application which would extend beyond the explantion data of the full statutory term of prior patent No. 6,593,292		
as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said u	rior patent is presently choriened	
by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is birding upon the grantes, its successors or assigns.		
in making the above disclaimer, the owner does not disclaim the terminal part of the term of any petent granted on the instant application tiret would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortaned by any terminal disclaimer," in the event that said prior patent		
later; expires for fallure to pay a mainténance fee;		
ts held unembroeable;		
is found invalid by a court of competent jurisdiction;		
is statutorily discisimed in whole or terminally discisimed under 37 CFR 1.321; has all claims canceled by a regramination cartificate;	•	
is laterned; or	• •	
is in any manner terminated prior to the expiration of its full statutory term as presently short	aned by any terminal discisimer,	
Chack either box 1 or 2 below, if appropriate.		
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on bahalf of the business/organization.		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that within false statements and the like so made are purished to be fine or imprisonment, or both, under Station 1001 of Title 18 of the United Statisc Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.		
2: The undersigned is an attenney or agent of record. Reg. No.		
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Signisture	Done	
Edward F. Schnipper, M.D.		
Typed or printed name		
	Telephone Number	
V Tamela di diserbassi della d	•	
X Terminal discisimer fee under 37 CFR 1.20(d) is included.		
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).		
Form PTO/SBige may be used for making this certification. See MPEP § 324.		
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PTO/SB/25(09-04)

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U.S. Petent and Thademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Prepared Reduction Act of 1995, no paragraph provided to respond to a polantion of interpation unless it displays a valid OMS control number. Docket Number (Optional) TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION 578582001721 In re Application of: Jonathan B. ROTHBARD et al. 10/083,960 Application No.: Filed: February 25, 2002 COMPOSITIONS AND METHODS FOR ENHANCING DRUG DELIVERY ACROSS AND INTO OCULAR TISSUES Celigate, Inc. The owner, 100 parcent interest in the instant application hereby discisims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any 10/740.365 , filed on patent granted on pending reference Application Number December 17, 2003 param gramed on perioding reservice Application number 107/40,300 , filed on December 17, 2003 , se such term is defined in 35 U.S.C. 164 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent granted on the reference application are commonly owned. This agreement rune with any patent granted on the instant application and is binding upon the grantee, its successors or easigns. in making the above discisimer, the owner does not discisim the terminal part of any potent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 38 U.S.C. 164 and 173 of any patent granted on said reference application, "so the term of any petent granted on said reference application may be shortened by any terminal disclaimer fied prior to the grant of any potent on the pending reference application," in the event that any such patent: granted on the pending reference application; expires for falline to pay a mathemance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a resommination certificate, is reissued, or is in any master terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate, For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the businessforpunization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful talasstatements and the libe to made are purceivable by tine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an alterney or agent of record. Reg. No. 2/4/06 Edward F. Schnipper, M.D. Typed or printed name Telephone Number X Terminal disclaimer tee under 37 CFR 1.20(d) is included. "Statement under \$7 CFR 3.73(b) is required if terminal discisioner is signed by the assigner (owner). Form PTO/SB/98 may be used for making this statement. See MPEP 6 324.

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